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3 Attorneys for USACM Liquidating Trust

4 In re:

5 USA COMMERCIAL MORTGAGE  
 COMPANY,

6 USA CAPITAL REALTY ADVISORS,  
 LLC,

7 USA CAPITAL DIVERSIFIED TRUST  
 DEED FUND, LLC,

8 USA CAPITAL FIRST TRUST DEED  
 FUND, LLC,<sup>1</sup>

9 USA SECURITIES, LLC,<sup>2</sup> Debtors.

10 Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

11 Case No. BK-S-06-10725-LBR  
 Case No. BK-S-06-10726-LBR  
 Case No. BK-S-06-10727-LBR  
 Case No. BK-S-06-10728-LBR<sup>1</sup>  
 Case No. BK-S-06-10729-LBR<sup>2</sup>

12 CHAPTER 11

13 Jointly Administered Under Case No.  
 BK-S-06-10725 LBR

14 **NOTICE OF HEARING REGARDING  
 FIRST OMNIBUS OBJECTION OF  
 USACM TRUST TO PROOFS OF  
 CLAIM BASED UPON  
 INVESTMENT IN THE URBAN  
 HOUSING ALLIANCE – 435 LOFTS  
 LOAN; AND CERTIFICATE OF  
 SERVICE**

15 Date of Hearing: March 25, 2008  
 Time of Hearing: 9:30 a.m.

16 **THE USACM LIQUIDATING TRUST IS OBJECTING TO THE CLAIM  
 THAT YOU FILED. THE USACM TRUST SEEKS TO DISALLOW YOUR  
 CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN THE  
 URBAN HOUSING ALLIANCE – 435 Lofts LOAN BECAUSE THE USACM**

17 <sup>1</sup> This bankruptcy case was closed on October 12, 2007.

18 <sup>2</sup> This bankruptcy case was closed on December 26, 2007.



1           **TRUST CONTENDS THAT YOU HAVE BEEN PAID IN FULL FOR YOUR  
2 INVESTMENT IN THAT LOAN. THIS OBJECTION WILL NOT IMPACT  
3 YOUR CLAIM TO THE EXTENT IT IS BASED UPON AN INVESTMENT IN A  
4 DIFFERENT LOAN.**

5           **PLEASE DO NOT CONTACT THE CLERK OF THE BANKRUPTCY  
6 COURT TO DISCUSS THE MERITS OF YOUR CLAIM. QUESTIONS  
7 REGARDING THE AMOUNT OF A CLAIM OR THE FILING OF A CLAIM  
8 SHOULD BE DIRECTED TO THE UNDERSIGNED COUNSEL .**

9           **NOTICE IS HEREBY GIVEN** that the USACM Liquidating Trust, by and  
10 through its counsel, has filed its First Omnibus Objection to Proofs of Claim Based Upon  
11 Investment in the Urban Housing Alliance – 435 Lofts Loan (the “Objection”). Your  
12 Proof of Claim number and other information regarding your claim is provided in **Exhibit  
13 A**, attached. The USACM Liquidating Trust has requested that this Court enter an order,  
14 pursuant to section 502 of title 11 of the United States Code (the “Bankruptcy Code”) and  
15 Rule 3007 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”),  
16 disallowing your Proof of Claim to the extent it is based upon an investment in the Urban  
17 Housing Alliance – 435 Lofts Loan. The Objection will not impact your Claim to the  
18 extent it is based upon an investment in a different loan.

19           **NOTICE IS FURTHER GIVEN** that the hearing on the Objection will be held  
20 before the Honorable Linda B. Riegle, United States Bankruptcy Judge, in the Foley  
21 Federal Building, 300 Las Vegas Boulevard South, Courtroom 1, Las Vegas, Nevada, on  
22 **March 25, 2008, at the hour of 9:30 a.m..**

23           **NOTICE IS FURTHER GIVEN THAT THE HEARING SET ON MARCH  
24 25, 2008, WILL BE HELD FOR THE PURPOSE OF STATUS CHECKS AND  
25 SCHEDULING EVIDENTIARY HEARINGS ONLY. NO ARGUMENTS WILL BE  
26 HEARD ON THAT DATE.**



1           **NOTICE IS FURTHER GIVEN** that any response to the Objection must be filed  
 2 by March 18, 2008 pursuant to Local Rule 3007(b), which states:

3           If an objection to a claim is opposed, a written response must be filed and  
 4 served on the objecting party at least 5 business days before the scheduled  
 5 hearing. A response is deemed sufficient if it states that written  
 6 documentation in support of the proof of claim has already been provided to  
 the objecting party and that the documentation will be provided at any  
 evidentiary hearing or trial on the matter.

7           If you object to the relief requested, you *must* file a **WRITTEN** response to this  
 8 pleading with the Court. You *must* also serve your written response on the person who  
 9 sent you this notice.

10          If you do not file a written response with the Court, or if you do not serve your  
 11 written response on the person who sent you this notice, then:

- 12           • The Court may *refuse to allow you to speak* at the scheduled hearing; and  
 13           • The Court may *rule against you* and sustain the objection without formally  
 14 calling the matter at the hearing.

15          Dated: February 19, 2008

16           LEWIS AND ROCA LLP

17  
 18          By /s/ Rob Charles (#6593)  
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 Rob Charles, NV 6593  
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*Attorneys for the USACM Liquidating Trust*

23          Copy of the foregoing mailed by first class  
 Postage prepaid U.S. Mail on  
 24 February 19, 2008 to:

25          Parties listed on Exhibit A attached.

26          s/Renee L. Creswell  
 Renee L. Creswell